

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

STATE OF MAINE
131ST LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS



Disposition of bills and summaries of all laws enacted or finally passed

**JOINT STANDING COMMITTEE ON ENERGY,
UTILITIES AND TECHNOLOGY**

October 2023

MEMBERS:

SEN. MARK W. LAWRENCE, CHAIR
SEN. NICOLE GROHOSKI
SEN. MATTHEW HARRINGTON

REP. STANLEY PAIGE ZEIGLER, JR., CHAIR
REP. CHRISTOPHER J. KESSLER
REP. VALLI D. GEIGER
REP. JAMES A. BOYLE
REP. SOPHIA B. WARREN
REP. WALTER GERARD RUNTE, JR.
REP. STEVEN D. FOSTER
REP. MARK MICHAEL BABIN
REP. LARRY C. DUNPHY
REP. REAGAN L. PAUL

STAFF:

LINDSAY J. LAXON, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/opla>

STATE OF MAINE
131ST LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS



**LEGISLATIVE DIGEST OF BILLS AND
SUMMARIES OF ENACTED LAWS**

This *Legislative Digest of Bills and Summaries of Enacted Laws* provides the disposition of all LDs and summaries of all laws enacted or finally passed during the First Regular and First Special Sessions of the 131st Maine Legislature. Please note that all LDs and proposed amendments may be found through the Legislature’s webpage, and each includes a summary of what the bill or amendment proposed.

The *Legislative Digest of Bills and Summaries of Enacted Laws* is arranged alphabetically by committee. Within each committee section is a subject index of all LDs considered by that committee as well as a digest of the LDs, arranged by LD number. Also included are enacted law summaries of the LDs enacted or finally passed. Brief analyst notes on certain LDs are also included: a committee digest will indicate if additional notes are provided for an LD. These notes add information staff found useful and may provide useful information to users of this *Digest*; please note that most LDs do not have a note and lack of a note should not be interpreted as having any significance. A separate section of the *Digest* provides a digest of the relatively few LDs that were not referred to a committee or reported from a committee as a committee bill; enacted law summaries of the LDs enacted or finally passed are provided. Finally, an appendix provides a summary of relevant session statistics.

The final disposition of each LD is noted in the relevant summary digest and index. The following describes the various final actions.

CARRIED OVER..... carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE.....defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY.....enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE.....emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT..... legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW.....sponsor’s request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY.....ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X.....ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX.....chapter # of enacted public law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor’s veto

The effective date for non-emergency legislation enacted in the First Regular and First Special Sessions of the 131st Legislature is Thursday, June 29, 2023 and Wednesday, October 25, 2023, respectively. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

JOINT STANDING COMMITTEE ON ENERGY, UTILITIES AND TECHNOLOGY

the joint standing committee of the Legislature having jurisdiction over public utilities regarding low-income assistance programs.

LD 1456 Resolve, to Study the Effect of Current Laws and Rules on the Expansion of Broadband

ENACTED LAW SUMMARY

Resolve 2023, chapter 81 directs the Public Utilities Commission to study current pole attachment laws and rules and the effect of those laws and rules on municipal broadband expansion. The study must include a review of each stage of the pole make-ready process, an estimate of the number of utility poles statewide that could accommodate municipal facility attachments without the need to replace the pole, an assessment of the commission's enforcement practices and related laws applicable to utility poles and a review of the commission's current educational resources related to pole attachments and the effectiveness of those resources. The law requires the commission to submit an initial report of the study by February 15, 2024 and a final report by December 1, 2024 to the joint standing committee of the Legislature having jurisdiction over utility matters.

LD 1479 Resolve, Directing the Public Utilities Commission to Convene a Stakeholder Group Regarding Liquefied Propane Gas Systems and the So-called Dig Safe Law

ENACTED LAW SUMMARY

Resolve 2023, chapter 47 directs the Public Utilities Commission to convene a stakeholder group to discuss matters related to the underground facility damage prevention system, including options that may be available to the commission to ensure the safety measures established by the system are maintained while reducing administrative requirements for membership and participation in the system that are applicable to liquefied propane gas distribution systems that have an underground tank or pipe. The resolve specifies the membership of the stakeholder group and requires the commission to submit a report, by December 6, 2023, to the Joint Standing Committee on Energy, Utilities and Technology summarizing the stakeholder discussions including any recommended legislation.

LD 1591 An Act to Promote Economic Reuse of Contaminated Land Through Clean Energy Development

ENACTED LAW SUMMARY

Public Law 2023, chapter 321 directs the Public Utilities Commission to initiate a competitive solicitation for energy and renewable energy credits equal to 5% of the retail electricity sales in the State for the period from January 1, 2021 to December 31, 2021 plus any amount contracted for under previous procurements that the commission determines are unfulfilled. Projects eligible to be selected for contracts are Class IA resources that begin commercial operation on or after

JOINT STANDING COMMITTEE ON ENERGY, UTILITIES AND TECHNOLOGY

September 19, 2023 and for which a system impact study has been filed. A project pairing eligible Class IA resources with an energy storage system is also eligible to be selected for a contract. In conducting a solicitation and selecting projects for contracts, the commission must consider the expected effect of eligible Class IA resources on other renewable resources due to congestion and curtailment, select only those eligible Class IA resources or combined projects for contracts that will benefit ratepayers and give a primary preference to those eligible Class IA resources or combined projects that are located on contaminated lands and secondary preference to eligible Class IA resources or combined projects that minimize use of farmland that is not contaminated land and minimize use of forested land. The commission must use procured renewable energy credits to offset a standard-offer service provider's renewable resource portfolio requirements.

The law also requires the Governor's Energy Office, in consultation with the commission, to review the status and impacts of the implementation of the State's renewable resources portfolio requirements and submit a report to the joint standing committee of the Legislature having jurisdiction over energy matters. The first report must be submitted by March 31, 2024 and subsequent reports every three years thereafter.

LD 1654 An Act to Extend the Time for Certain Public Utilities Commission Proceedings

ENACTED LAW SUMMARY

Public Law 2023, chapter 168 extends the time period during which the Public Utilities Commission may make determinations on rate increases, affiliate transactions, reorganizations and certificates of public convenience and necessity. It allows for an extension of a period of suspension of the operation of a schedule of a public utility under certain circumstances. It extends the period of approval for a petition for a proposed transmission line from nine to 12 months.

LD 1655 An Act to Amend the Laws Governing Consumer-owned Water Utilities

ENACTED LAW SUMMARY

Public Law 2023, chapter 325 does the following.

1. It increases the gross annual revenues thresholds that trigger audits for qualified small water utilities and permits the Public Utilities Commission, for good cause shown, to waive the requirements for an annual review or audit for qualified small water utilities.
2. It exempts consumer-owned water utilities from certain requirements, including authorization by the commission for the issuance of stocks, bonds and notes.
3. It removes the requirement that consumer-owned water utilities publish notices of public hearings and rate changes in a newspaper and instead provides the commission with the authority to prescribe the manner in which notice is provided to customers of these utilities.